



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

STOP SALE, USE, OR REMOVAL ORDER

Docket No. FIFRA-10-2006-0139

Attention:

Owner, President or Manager

Owner, President or Manager
Foley True Value Home Center
PO Box 39

By the authority of Section 13(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. ' 136k(a), and the delegation of such authority, you are hereby ordered not to import into or sell or distribute within the United States of America any product manufactured by RepelleX Lawn and Garden Products, Inc. (RepelleX), of Port Coquitlam in British Columbia, Canada, which is claimed to contain Quarternary Ammonium Salts. This includes but is not limited to the following products: "RepelleX 14-2-2 ML2 Fertilizer Tablets"; "RepelleX Deer Repellent Concentrate"; and "Bulb Saver Concentrate." The prohibition in this Stop Sale, Use, or Removal Order (Order) pertains to any of the above referenced products which are under your control, ownership, or custody.

The United States Environmental Protection Agency (EPA) has reason to believe, based upon inspections and import documents, that you may be in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. ' 136j(a)(1)(A), by importing into and selling or distributing within the United States the above mentioned RepelleX products which have not been registered in accordance with Section 3 of FIFRA, 7 U.S.C. ' 136a.

All RepelleX products which are claimed to contain Quarternary Ammonium Salts must not be imported into the United States. Any import, sale, or distribution of RepelleX products in violation of Section 12(a)(1)(A) of FIFRA, 7 U.S.C. ' 136j(a)(1)(A), may subject you to civil penalties of up to \$6,500 per shipment.

Within 30 days of receipt of this Order, you must provide Chad Schulze of EPA a written description of your plans to comply with the conditions outlined in this Order. In your response please provide import records of all applicable products purchased from RepelleX. Mr. Schulze's telephone number is (206) 553-0505, and his mailing address is U.S. EPA, Region 10, OCE-084, 1200 Sixth Avenue, Seattle, Washington 98101.

This Order is effective immediately upon receipt and shall remain in effect indefinitely. Any person violating the terms or provisions of this Order shall be subject to penalties prescribed by Section 14 of FIFRA, 7 U.S.C. ' 136l. This Order does not preclude EPA from pursuing other enforcement actions related to this or any other case.

Michael A. Bussell, Director
Office of Compliance and Enforcement
Authorized EPA Official